

**Animal Services Advisory Board (ASAB)
Task Force on the Spaying and Neutering of Recovered Stray Animals
Unapproved Proposal (Draft): December 22, 2012**

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I. Executive Summary

The ASAB is committed to helping Orange County reduce the numbers, associated costs, and euthanasia rates of stray and unwanted cats and dogs that are brought to the Orange County Animal Services (OCAS). The Task Force on the Spaying and Neutering of Recovered Stray Animals was asked to review current policies regarding owned cats and dogs that are repeatedly recovered by owners from OCAS. The goal of this subcommittee was to consider changes to legislation that may reduce the number of stray animals, facilitate the recovery of lost animals by their owners, and reduce unwanted litters from stray reproductive animals. Committee members surveyed current local and national practices, looked for informative veterinary literature, identified recommendations from animal welfare organizations, and reviewed animal recovery statistics from OCAS.

Based on their findings, the subcommittee put forward the following recommendations:

1. The committee unanimously recommends that OCAS mandate microchip placement in all cats and dogs at the owner's expense before the animal is returned to an owner.
2. The committee unanimously recommends a multifaceted approach to encourage owners of recovered animals to spay/neuter their dogs and cats:
 - a. Educate owners about the benefits of spaying/neutering their pets through personally delivered information at the time of animal recovery and with an easy-to-read handout.
 - b. Ensure that owners are aware of affordable, accessible, safe, and efficient spay/neuter programs in our area, particularly Orange County's Community Spay/Neuter Program which provides low-cost and no-cost pet sterilization on the basis of either household income or the receipt of public assistance.
 - c. Identify low-income families who may be reluctant to spay/neuter their pets due to cost and provide personalized service to link them to affordable, accessible, safe, and efficient spay/neuter programs.
 - d. Provide a monetary incentive for pet owners to spay/neuter their dogs and cats through a tiered and differential impoundment fee (similar in purpose to the tiered licensing fees currently in place) that financially favors pet owners who have sterilized their cats and dogs, and provides negative incentives to pet owners who have chosen not to spay/neuter their pets.
3. The subcommittee unanimously rejected the implementation of a mandatory spay/neuter law for repeatedly impounded cats and dogs.

II. Overview

The ASAB is committed to helping Orange County reduce the numbers, associated costs, and euthanasia rates of stray and unwanted cats and dogs that are brought to the Orange County Animal Services (OCAS). At the ASAB meeting on May 16, 2012, there was a review of the strategic plan, "Managing Pet Overpopulation: A Strategic Plan for Orange County, North Carolina dated January 28, 2010 (available at <http://orangecountync.gov/animalservices/spayneuter.asp>). The year 2012 had been designated as the year to work on legislation that would help to control pet overpopulation.

Legislative changes are integral to the County's strategic plan to control pet overpopulation. According to the Animal Society for the Prevention of Cruelty to Animals (ASPCA), research indicates that the main reason for the steady decline nationwide of per capital shelter intake and euthanasia rates has been the increasing incidence of spayed and neutered animals in the pet population. By encouraging and enforcing a stronger code of responsible pet ownership, which includes spaying and neutering cats and dogs, the County can reduce the long terms costs incurred by caring for "surplus" pets and unnecessary animal euthanasia.

One of the legislative areas considered was whether sterilization of pets repeatedly recovered by owners from OCAS should be mandatory. Kris Bergstrand, Aviva Scully, and Lynn White were named to the Task Force of Spaying and Neutering of Recovered Stray Animals, with Bob Marotto participating as OCAS's director. This committee met on July 5, August 13, August 28, and December 19 of 2012, and the meeting minutes from these sessions are attached (Appendix A). As a result of these meetings, literature searches, and data review, this committee put forward the specific recommendations found at the end of this proposal.

III. Background

Every year, OCAS shelters numerous owned cats and dogs that become separated from their homes. OCAS staff provides a safe environment, food, as well as necessary medical attention, and work towards identifying and contacting owners so that these animals can be reunited with their families. Unfortunately, some dogs and cats are found as strays on more than one occasion and brought to the shelter. Concerns about repeatedly stray animals include:

- A. Animals at large are at greater risk of injury and death.
- B. Unsupervised animals that are not spayed or neutered may participate in reproductive activities that can result in unwanted litters of puppies and kittens and contribute to the already burdensome issue of pet overpopulation in our area.
- C. Stray animals, particularly unneutered males and females in heat, may cause human safety issues by engaging in fights with other animals, behaving aggressively towards humans, and causing human injury during attempts to capture and aid these animals.
- D. There are significant costs incurred by OCAS to capture, impound, and care for repeatedly stray animals and to identify and contact their owners.

Orange County's animal control ordinance seeks to discourage pet owners from allowing their animals to repeatedly stray by increasing the impoundment fee for each additional animal recovery. The first time an animal is recovered by the owner from the shelter, the owner is charged a \$10 impoundment fee, a \$10 daily board fee, and is charged for rabies vaccination if he/she can not prove that the pet's rabies vaccination status is up to date. The owner is also asked to update the pet's license if it has lapsed. Pet owners who fail to do this are warned that they may receive a citation for a lapsed pet license. When a pet is returned to its owner a second time, the owner is charged a \$50 impoundment fee in addition to the fees noted above. A third recovery results in an impoundment fee of \$100, and the fourth and subsequent

recoveries have an impoundment fee of \$200.¹ There is currently no fee differential for reproductive versus sterilized animals.

This subcommittee was tasked with reviewing whether OCAS can strengthen the current recovered animal policy to reduce the number of stray animals, facilitate the recovery of lost animals by their owners, and reduce unwanted litters from stray reproductive animals.

IV. Subcommittee Process

After a detailed discussion during the first meeting of the committee, members decided to specifically address two questions:

- A. Should recommendations for mandatory microchip placement be made for dogs and cats that are repeatedly recovered by their owners from OCAS?
- B. Should recommendations for mandatory sterilization be made for dogs and cats that are repeatedly recovered by their owners from OCAS?

In order to address these questions, committee members surveyed current local and national practices, looked for informative veterinary literature, identified recommendations from animal welfare organizations, and reviewed animal recovery statistics from OCAS.

V. Subcommittee Findings

A. Microchip Placement:

1. Surveys: A survey of animal control practices in local counties revealed that Guilford County and Forsythe County require microchip placement at the owner's expense prior to return of the animal to the owner. The microchip fee in Guilford County is \$10, and the fee in Forsythe County is \$12. Wake County Animal Care, Control, and Adoption does not require microchip placement. Durham APS strongly recommends but does not require microchip placement. A brief national survey revealed that many cities, counties, and state animal agencies require that recovered animals have a microchip placed prior to return to owner (Appendix B).
2. Literature review: A data search was performed (Appendix C). An article by Lord, Ingwersen, Bray, and Wintz published in the *Journal of the American Veterinary Medical Association* revealed that the presence of microchips in both dogs and cats greatly facilitated the return of pets to owners in 53 animal shelters surveyed over a seven-month period.
3. Animal welfare organizations: The American Veterinary Medical Association (AVMA) states (Appendix C): "The AVMA believes that state and local governments must evaluate their needs and resources to develop appropriate and effective dog and cat population control programs. This would include... Requiring permanent identification through microchipping."

¹ Note that impoundment and allied fees are distinct from civil fines and/or criminal prosecution for at large animals in violation of the public nuisance provision of the county's animal ordinances. The owner may receive a civil citation with monetary penalty in addition to paying the recovery fees itemized above. The owner could also be charged for a misdemeanor offense under the same ordinance. These fees and violations will not be addressed in this proposal.

B. Mandatory Sterilization:

1. Surveys: No local counties surveyed require mandatory sterilization of animals repeatedly recovered by their owners. The town of Asheville and Buncombe County have mandatory sterilization ordinances for all owned cats and dogs. All cats and dogs must be sterilized unless a permit has been purchased for \$100, which is then good for the lifetime of the pet. Outside of North Carolina, there are a variety of approaches towards spaying/neutering (S/N) of animals. For example, Boulder, CO offers financial incentives to owners who allow their pets to be sterilized prior to recovery. There are animal organizations that do require mandatory sterilization of animals found running at large prior to recovery by the owner (Appendix B).
2. Literature review: No studies were identified that reviewed the impact of mandatory S/N laws on recovery rates in stray dogs and cats.
3. Animal welfare organizations: Numerous organizations had posted commentaries on the internet opposing mandatory spay/neuter laws for owned pets, including the ASPCA, Best Friends Animal Sanctuary, American Veterinary Medical Association, Nevada Humane Society, Alley Cat Allies, and FixAustin. There were no statements by organizations that specifically addressed mandatory sterilization of stray cats and dogs that are repeatedly recovered by their owners.
4. OCAS animal recovery statistics: OCAS stray cat statistics from 2007-2011 (Appendix D) revealed that 182 cats during this time were recovered by their owners. Of these, 53/182 (29%) were reproductive, and 129/182 (71%) were sterilized. 176/182 (97%) were recovered by their owners once, and of these, 52/176 (30%) were reproductive and 124/176 (70%) were sterilized. Six cats were recovered twice. Of the six cats, 5/6 (83%) were sterilized and 1/6 (17%) was reproductive. No cats were recovered by owners more than twice. OCAS stray dog statistics from 2007-2011 (Appendix D) revealed that 1620 dogs were recovered by their owners. Of these, 910/1620 (56%) were reproductive, and 710/1620 (44%) were sterilized. 1494/1620 (92%) were recovered by their owners once, and of these, 853/1494 (57%) were reproductive and 641/1494 (43%) were sterilized. 90/1620 dogs (6%) were recovered twice, and of these, 41/90 (46%) were reproductive and 49/90 (54%) were sterilized. 22/1620 (1%) dogs were recovered three times, and of these, 11/22 (50%) were reproductive and 11/22 (50%) were sterilized. 9/1620 (0.5%) dogs were recovered four times, and of these, 5/9 (56%) were reproductive and 4/9 (44%) were sterilized. Two dogs were recovered five times (both sterilized), two dogs were recovered six times (both sterilized) and one dog was recovered seven times (sterilized).

VI. Subcommittee Recommendations

- A. Microchip placement: Based on review of local and national practices as well as literature regarding animal recovery and microchip placement, the committee unanimously recommends that OCAS mandate microchip placement in all recovered cats and dogs at the owner's expense before the animal is returned to an owner.²

² Note that microchip placement for adoptable cats and dogs became elective in July 2009 (the same year the new Animal Services Center opened) as a result of a required budget reduction of \$42,968. Previously, each adopted animal received a microchip as part of the standard adoption fee. Staff made this recommendation because it was deemed less detrimental than the alternatives, e.g., reductions in the supplies required to shelter and care for homeless animals, reductions in the medical budget, or the erosion of the resources needed to continue to spay or neuter every adopted animal.

Microchip placement has been shown to improve pet recovery rates. The committee also believes that microchip placement will reduce staff time and effort in identification of pets and their respective owners, provide easier documentation of animals repeatedly brought in to the shelter, as well as confirmation of ownership in situations in which the owner denies responsibility for the stray pet. The Animal Services microchip fee will cover implantation of the chip as well as registration of the animal with the microchip company prior to the animal leaving the shelter. The fee will be in addition to other fees, including the impoundment fee, boarding fee, rabies vaccination fee, licensing fee, and any other fees the animal may have incurred during an animal's stay at OCAS. If the owner finds these recovery fees difficult to pay because of limited resources, OCAS staff may be able to set up a payment plan for the owner (depending upon prior contact, the circumstances of impoundment, and other factors).

B. Mandatory sterilization of stray animals repeatedly impounded by OCAS: This committee was charged with considering whether legislative action should be taken to require sterilization of animals repeatedly impounded by OCAS and recovered by owners. Six major factors were considered by subcommittee members:

1. Respect for owner choice
2. Safety and care of the animals and pet overpopulation
3. Safety of the general community
4. Sensitivity to pet owners who are experiencing difficult financial circumstances
5. Costs incurred by OCAS as a result of repeated impoundments
6. Consideration of additional time and effort required of the staff regarding instatement of new recommendations

Given the preponderance of evidence and opinions against mandatory spay/neuter laws for all animals in a jurisdiction, and the lack of any evidence of spay/neuter laws restricted to recovered stray animal populations, the subcommittee unanimously agreed not to recommend that mandatory spay/neuter laws be implemented for animals recovered by owners from OCAS. It was further noted that State of North Carolina Veterinary Practice Acts do not allow OCAS the option to sterilize cats and dogs in the shelter that are owned by someone other than Orange County.

The committee recommends a multifaceted approach to encourage owners of recovered animals to spay/neuter their dogs and cats. The goals are to:

1. Educate owners about the benefits of spaying/neutering their pets.

Every contact OCAS staff has with an owner of a recovered animal is an opportunity to educate the owner about the benefits of spaying/neutering his/her pet. OCAS should create an easy-to-read handout that can be given to the owner to reinforce information delivered face-to-face.

2. Ensure that owners are aware of affordable, accessible, safe, and efficient spay/neuter programs in our area.

Every contact OCAS staff has with an owner of a recovered animal is an opportunity to let him/her know about spay/neuter options in the community. It is particularly important to make pet owners aware of Orange County's Community Spay/Neuter Program, which provides low-cost and no-cost pet sterilization on the basis of either household income or the receipt of public assistance. This program also provides the general population with information about spay/neuter services in the area. The handout mentioned above will contain this information, as well as contact information for OCAS staff responsible for helping residents to access affordable spay/neuter options.

3. Identify low-income families who may be reluctant to spay/neuter their pets due to cost, and provide personalized service to link them to affordable, accessible, safe, and efficient spay/neuter programs.

OCAS has already put into place a targeted community program to provide individualized, personal assistance to low-income pet owners to help connect them to low- or no-cost spay/neuter services.

4. Provide compelling incentives for pet owners to spay/neuter their dogs and cats.

The committee recommends a tiered and differential impoundment fee that financially favors pet owners who have sterilized their cats and dogs, and provides negative incentives to pet owners who have chosen not to spay/neuter their pets. This proposal includes higher penalties for owners who have recovered an animal three or more times from the shelter, as well as a deposit system for these owners to further encourage sterilization. The proposed tiered and differential impoundment fees are:

First recovery: \$25 for a sterilized cat/dog, \$50 for a reproductive cat/dog

Second recovery: \$50 for a sterilized cat/dog, \$100 for a reproductive cat/dog

Third recovery: \$100 for a sterilized cat/dog, \$200 for a reproductive cat/dog. The fee for a reproductive pet is a combination of a \$100 impoundment fee and a \$100 sterilization deposit. If the owner provides OCAS proof of sterilization in the form of a veterinary record within 90 days of recovering his/her pet, the \$100 sterilization deposit will be refunded to the owner.

Fourth recovery: \$200 for a sterilized cat/dog, \$400 for a reproductive cat/dog. The fee for a reproductive pet is a combination of a \$300 impoundment fee and a \$100 sterilization deposit. If the owner provides OCAS proof of sterilization in the form of a veterinary record within 90 days of recovering his/her pet, the \$100 sterilization deposit will be refunded to the owner. (Note: The committee recognizes that the combined fee of \$400 may make it prohibitively expensive for some owners to recover their pets. However, it should be stressed that most low-income households would qualify for low-cost or no-cost sterilization services from the County's own program and thus pay no more than \$20 for the procedure. In addition, the fact that a reproductive animal has been brought to OCAS as a stray four or more times should be taken into consideration when deciding whether it is in the animal's best interest and in the best interest of the community to be returned to that owner. The owner also would have had at least three prior interactions with OCAS staff during which education regarding spay/neuter options would have been provided.)

The committee decided to recommend implementation of the deposit system only after the second dog/cat recovery for these reasons:

- a. The committee opted to keep impoundment fees low for first and second recoveries, understanding that animal escapes can happen that do not necessarily reflect owner negligence. After first and second recoveries, our hope is that the helpful information provided by OCAS staff regarding spay/neuter benefits and options will encourage most owners to spay/neuter their reproductive animals. By the third pet recovery, we believe that stronger incentives are required. These include higher impoundment fees and the promise of a returned sterilization deposit if proof of sterilization within 90 days is provided.
- b. The deposit system will require increased time and effort from OCAS staff members. The number of reproductive animals that are recovered more than two times at OCAS is much lower than animals recovered once or twice, so the staff will not be taxed by numerous collections and refunds of spay/neuter deposits. (From OCAS data 2007-

2011, 53 reproductive cats were recovered one or two times, but no cats were recovered three or more times. In the same data set, 894 reproductive dogs were recovered one or two times, but only 19 reproductive dogs were recovered three or more times.) Note that the sterilization deposit was kept consistent at a fixed \$100 amount to simplify staff accounting.

These proposed legislative changes dovetail with current efforts to promote pet sterilization through tiered dog and cat licensing fees. Owners of reproductive animals must pay higher rates for new and renewal licenses. Differential pet licensing has long been recognized as a cornerstone of progressive community animal control programs. The task force believes that the incentives associated with differential fees can and should be applied to other elements of Orange County's ordinances and fees. In doing so, it is possible for Orange County to develop an enduring and comprehensive institutional approach capable of managing our companion animals in a fiscally responsible and humane manner in the years to come.

We believe that by implementing mandatory microchip placement in all recovered cats and dogs, providing educational tools and programs regarding the benefits and availability of spay/neuter services, and creating tiered and differential impoundment fees for recovered stray animals, we will enhance our efforts to reduce the number of stray and cats and dogs as well as shelter euthanasia rates. The proposed changes are a progressive next step in Orange County's proactive efforts to manage pet overpopulation now and in the future.

Respectfully submitted,
The Task Force on the Spaying and Neutering of Recovered Stray Animals

Appendices:

Appendix A: Meeting Minutes from 7/5/2012, 8/13/2012, 8/28/2012, and 12/29/2012

Appendix B: Spay and Neuter and Microchip Requirements for Stray Recoveries: Select Regulatory Review

Appendix C: Summary of Data Search

Appendix D: Frequency of Stray Dog and Cat Recoveries, 2007-2011

Appendix A

Meeting Minutes

Animal Services Advisory Board (ASAB)

Task Force on the Spaying and Neutering of Recovered Stray Animals

Thursday, July 5, 2012

Present: Lynn White (Chair), Kris Bergstrand, Bob Marotto, Aviva Scully

1. Agenda unanimously adopted as presented.

2. Review of the Task Force Objectives: At the Animal Services Advisory Board monthly meeting that took place on May 16, 2012 there was a discussion of the legislative component of the shelter's Strategic Plan for Managing Pet Overpopulation. The year 2012 had been previously designated as the year to work on legislation. One of the legislative areas was the possibility of requiring mandatory sterilization of stray animals that were repeatedly impounded in the Orange County Animal Shelter. Donna Bravo raised the motion to form a subcommittee to review the owner requirements for reclaiming an impounded stray animal. Kris Bergstrand, Aviva Scully, and Lynn White were named to the committee, with Bob Marotto participating as a representative of the Orange County Animal Services staff.

There ensued a conversation about the problem of stray dogs and cats which are repeatedly found at large and brought to the shelter. Bob estimated that approximately 20-25% of stray dogs were eventually returned to their owners, while only about 3% of stray cats were recovered by their owners. He stated that there are dogs and cats known to shelter personnel who have been recovered by owners at the shelter on multiple occasions. These repeated episodes of stray animals are a concern for multiple reasons:

- A. Animals at large may be at greater risk of injury and death.
- B. Unsupervised animals who are not spayed or neutered may participate in reproductive activities that can result in unwanted litters of puppies and kittens and contribute to the already burdensome issue of pet overpopulation in our area.
- C. Stray animals, particularly unneutered males and females in heat, may cause human safety issues by engaging in fights with other animals, behaving aggressively towards humans, and causing human injury during attempts to capture and aid these animals.
- D. There are significant costs incurred by animal services to capture, impound, and care for repeatedly stray animals and to identify and contact their owners.

Currently, Orange County Animal Services relies upon the County's animal ordinance to discourage pet owners from allowing their animals to stray from their property. The first time an animal is recovered by the owner from the shelter, the owner is charged a \$10 impoundment fee, a \$10/day board fee, and is charged for rabies vaccination if he/she can not prove that the pet's rabies vaccination status is up to date. The owner is also asked to update the pet's license if it has lapsed. Pet owners who fail to do this are warned that they may receive a citation for a lapsed pet license. When a pet is returned to its owner a second time, the owner is charged a \$50 impoundment fee in addition to the fees noted above. A third infraction results in an impoundment fee of \$100, and the fourth an impoundment fee of \$200. (Note that impoundment and allied fees are distinct from civil fines and/or criminal prosecution for at large animals in violation of the public nuisance provision of the county's animal ordinances. The owner may receive a civil citation with monetary penalty in addition to paying the recovery fees itemized above. The owner could also be charged for a misdemeanor offense under the same ordinance for the same violation.)

There are owners who relinquish ownership of their animals rather than pay fees to the shelter. The hope is that Orange County Animal Shelter can strengthen the current recovered animal policy to protect cats, dogs, and the public, reduce unwanted litters, and incentivize owners to confine their pets appropriately. Possible actions include changing legislation to require mandatory microchip placement and mandatory sterilization of cats and dogs prior to owner redemption.

3. Best Practices at Animal Shelters. Bob shared information gathered from other communities:

A. Sacramento County Code 8.16.030 Redemption. In addition to ensuring timely rabies vaccination and the payment of all fees, "If the impounded animal was previously impounded and released, the animal may be released to the owner...on condition that the animal has been spayed or neutered prior to its release..."

B. Sacramento City Code 9.44.190 Required Alteration. "In order to reduce the likelihood that dogs allowed to be at large shall breed unwanted animals, any dog impounded for being at large which previously has been redeemed from the animal care services center after impoundment for being at large shall be spayed or neutered at the redeeming owner's expense prior to a second or subsequent redemption."

C. Minneapolis Animal Care and Control. "Upon redemption of any lawfully impounded dog or cat over six (6) months of age found at large and not previously sterilized, the owner shall deposit with the animal control shelter a sterilization deposit fee...Such sterilization deposit shall be fully refundable upon proof that the animal has been sterilized by a licensed veterinarian within forty-five (45) days..."

Similar sterilization ordinances have been passed by the following communities: Artesia, New Mexico; State of Utah; Tulsa, Oklahoma; New York, New York; St. Louis, Missouri; and Eugene, Oregon.

4. Suggested amendment to current Orange County Animal Services Recovered Stray Animal ordinance: Members of the task force discussed the addition of licensing requirements, mandatory microchip placement, and mandatory sterilization of recovered animals.

Part 1. Ensuring licensing that is current. Issues and solutions regarding pet licensing in Orange County are currently being addressed by an alternative committee. Therefore this committee will not address changes to license regulations at this time.

Part 2. Microchip placement. Placement of microchips in dogs and cats prior to pet adoption has been shown to improve subsequent stray pet recovery rates. The Animal Services Advisory Board has reviewed the possibility of recommending that the Orange County Animal Shelter take on the responsibility and cost of implanting microchips in all adopted pets. However, due to budget constraints, such a policy can not be put into place at this time. In selected populations, mandatory microchip placement may be appropriate. Additional advantages of placing a microchip in recovered stray animals include:

- A. Reduced staff time and effort in the identification of the pet.
- B. Reduced owner confusion regarding the identity of a pet.
- C. Easier documentation of stray pets repeatedly brought to the shelter.
- D. Proof of ownership in situations in which the owner denies responsibility for the stray pet.

This committee will consider recommending mandatory microchip placement in any stray cat or dog that is subsequently recovered by its owner. The owner must pay the expense of the placement of the microchip and register the appropriate contact information before the animal is released to the owner. The owner will be made aware of the consequences of additional requirements should the animal be recovered a second or third time.

Part 3. Mandatory sterilization of recovered cats and dogs. Supporting reasons for mandatory sterilization of returned stray animals are outlined above.

The committee will consider further recommending that the current ordinance be modified to allow for a stepwise approach to dogs and cats that are repeatedly recovered as strays in the following manner:

A. Upon second recovery of a stray cat or dog five (5) months of age or older, the committee proposes that prior to the redemption of an animal not previously sterilized, the owner must provide to the shelter a sterilization deposit fee of \$100. This sterilization deposit will be fully refundable upon written proof that the animal has been sterilized by a licensed veterinarian within forty-five (45) days of fee payment. Beyond this date, the fee is forfeited.

B. Upon a third recovery the impounded cat or dog will only be released to the owner upon the condition that the animal has been spayed or neutered by a veterinarian designated by the owner prior to its redemption. The cost of sterilizing the animal, including any fees, will be paid by the owner prior to redemption. Should the third impoundment occur within the 45 day sterilization period mentioned above for the second recovery, the owner will forfeit the sterilization deposit, and this money will not be applied to the fees and charges incurred by the third redemption.

5. Work Plan.

A. Bob will 1) Obtain recent data from the Orange County Animal Shelter regarding recovery patterns for cats and dogs, including information regarding age, microchip status, and sterilization status if possible, and 2) Check with the Minneapolis Animal Care and Control to see if there are updates regarding their sterilization deposit amendment.

B. Lynn will 1) Investigate the general literature to see if data exist that show that sterilization of cats and dogs leads to fewer episodes of impounding 2) Investigate microchip placement data in relation to dog and cat impoundment and recovery.

C. Kris and Aviva will review local county ordinances regarding animal recovery and speak with local shelters about their recovery policies. We will need to learn details about how shelters are able to sterilize impounded stray animals in a timely fashion without excessive transportation, veterinary, and boarding costs. A conference call may be arranged if they identify a system that may be a good fit for our shelter.

D. An appeals process for the above proposal will need to be considered in coordination with the department's staff attorney as part of legal review and the drafting of any ordinance amendment.

E. Pet owners who have recovered pets prior to the institution of a new ordinance would need to be "grandfathered" in, that is, recoveries would only be counted after the passage and effective implementation date of said ordinance.

F. A graduated payment plan could be considered for financially challenged owners.

The meeting was concluded at 6:15 pm. Minutes were respectfully submitted by Lynn White.

Meeting Minutes

Animal Services Advisory Board (ASAB)

Task Force on the Spaying and Neutering of Recovered Stray Animals

Monday, August 13, 2012

Present: Lynn White (Chair), Kris Bergstrand, Bob Marotto, Aviva Scully

1. Agenda was unanimously adopted as presented.

2. Meeting minutes/summary from subcommittee meeting that took place on July 5, 2012 were accepted and approved.

3. Legislation Review by Aviva, Kris, and Bob:

A. North Carolina Local Counties:

i. Guilford County. No mandatory sterilization of reclaimed animals. Microchip implantation mandatory (\$10). Impound fees: \$20 first offense, animal spayed or neutered (S/N), \$30 if not S/N. Impound fee for 2nd offense \$45, 3rd offense \$85, 4th offense \$110. Boarding fee \$5/day.

ii. Forsythe County Animal Control. No mandatory sterilization of reclaimed animals. Microchip implantation mandatory (\$12). Redemption fee: 1st offense \$30, 2nd offense \$40, 3rd offense \$50. Boarding fee \$12/day for dogs, \$10/day for cats.

iii Wake County. No mandatory sterilization of reclaimed animals. Microchip implantation not required. Redemption fee: 1st offense \$50, 2nd offense \$75, 3rd offense \$150. Boarding fee \$8/day for dogs, \$6/day for cats.

iv. Durham APS. No mandatory sterilization of reclaimed animals. Microchip implantation encouraged but not required. Redemption fee: 1st offense: \$25, 2nd offense \$60, third offense \$95. Boarding fee \$8/day for dogs, \$2/day for cats.

v. Chatham County. No mandatory sterilization of reclaimed animals. Microchip implantation: information pending. Redemption fee: 1st offense \$25, 2nd offense \$50, 3rd offense \$75. Boarding fee \$8/day for dogs, unknown for cats. Citation for stray pet is \$50.

B. Outside of Local Area:

i. Asheville/Buncombe County. The county has an ordinance that states all owned animals must be S/N unless a permit has been purchased for \$100, which is good for the life of the animal. Microchip implantation mandatory (\$10 for city/county). Redemption fees: 60.00 city, \$25.00 county.

ii. Boulder, CO. No mandatory sterilization of reclaimed animals. Redemption fee is \$45. Boarding fee \$15/day. Financial incentives offered for S/N (e.g., fee waivers).

iii. Select Regulatory Review of Animal Welfare Organizations by Bob (**see attached document**). Of note is that the State of Arizona; the State of Illinois; City of Wichita, KS; City of Albuquerque, NM; City/County of Charleston, SC have mandatory sterilization laws in place for animals found running at large prior to reclamation by owner. State of Illinois; State of Utah; City of Idaho Falls, ID; Jefferson County, MO have ordinances that require sterilization of animals impounded twice. There are also numerous cities, counties, and states listed which require that all reclaimed animals be microchipped prior to return to owner.

4. Summary of Limited Data Search by Lynn (**see attached document**):

A. Microchip data. Lord LK, Ingwersen W, Gray JL, Wintz DJ. Characterization of animals with microchips entering animal shelters. *J Am Vet Med Asso* 2009;235:160-167. 7,704 microchipped animals entering 53 animal shelters between 8/2007 and 3/2008 were assessed. Of these, 4,083 (53%) were strays. Return to owner (RTO) rate for dogs: overall dogs 22%, microchipped dogs 50%. RTO for cats: cats overall 2%, cats with microchips 39%. Owners of S/N animals were 1.8 times as likely to be found as compared to owners of sexually intact animals. Stray animals with microchips accounted for a median of 1.8% (range, 0% to 20.6%) of the total strays for each shelter. The highest percentage of owners were found through the use of information in the animal shelter databases.

B. Mandatory Spay/Neuter Programs for Stray Dogs and Cats

i. ASPCA position Statement on Mandatory Spay/Neuter Laws (no date posted). Research indicates that per capita shelter intake and euthanasia rate declines are due to

an increasing incidence of S/N pets. There is evidence that sterilizing at-risk populations of companion animals such as animals in shelters can contribute to reduction in pet overpopulation. The ASPCA does support the mandatory sterilization of shelter animals and certain individual, owned animals based on their or their owners' behavior, such as animals repeatedly caught at large.

ii. AVMA Policy: Dog and Cat Population Control (no date). The AVMA believes that state and local governments must evaluate their needs and resources to develop appropriate and effective dog and cat population control programs, including prohibiting the sale or adoption of intact dogs and cats by humane organizations and animal control agencies, and requiring permanent identification through microchipping.

C. Medical Pros/Cons of S/N as per AVMA News May 15, 2009:

i. Pros include prevention of unexpected litters, reduced incidence of some cancers and reproductive diseases, and prevention and amelioration of certain undesirable behaviors.

ii. Cons include potential health problems such as an increased risk of prostatic cancer in males, increased risks of bone cancer and hip dysplasia in large-breed dogs associated with sterilization before maturity, and increased incidence of obesity, diabetes, urinary tract infections, urinary incontinence, and hypothyroidism.

5. Suggested reasons why pet owners may not want to S/N their animals:

A. Medical reasons: Including risks of morbidity and mortality associated with preexisting medical conditions, risk of infection, risk of complications due to anesthesia, medical risks of S/N as outlined above.

B. Concerns regarding decreased performance (working dogs, hunting dogs, dogs used in agility training, etc.)

C. Desire to show dog (must be intact)

D. Desire to breed dog

E. Personal/cultural preference

F. Cost

G. Concerns about behavioral/personality changes

6. Orange County Animal Services data collected by Animal Services staff regarding stray cats and dogs:

A. In 2011, based on all intakes minus surrenders and ferals, 27% of stray dogs were recovered by owner, 5% of stray cats were recovered by owner.

B. Stray cat and dog recoveries from January 1, 2010 - December 31, 2011. Dogs: Of 626 stray recovered dogs total, 571 (91%) were recovered once, 44 (7%) were recovered twice, 10 (2%) were recovered three times, 0 were recovered 4 times, 1 was recovered five times (0%). Cats: Of 82 stray recovered cats total, 79 (96%) were recovered once, 3 were recovered twice (4%).

7. Future considerations:

A. Microchipping. The committee has found excellent support in the literature as well as in local and national practice for microchip placement in stray animals prior to reclamation by owner. We are moving towards a recommendation that all stray animals must be microchipped at the owner's expense prior to return to owner. The \$25.00 microchip fee would be in addition to rabies, licensing, impoundment, and boarding fees that apply. Medical exceptions would be considered. Payment installment plans would be an option for owners.

B. Mandatory S/N of animals repeatedly turned in as strays and returned to owners. This issue is complicated. Currently, no local animal control organizations that we identified have in place a

mandatory S/N policy for pets who are repeatedly found as strays and returned to their owners. Plan:

- i. Bob to see if he can track Orange County Animal Services data back over last 5-10 years to find out how many dogs and cats that have been returned to their owner more than once have been S/N vs. sexually intact.
- ii. Kris to make projected calculations regarding potential litters and impact of repeatedly stray animals who are not S/N.
- iii. All members of subcommittee to consider the pros and cons of these possible program options:
 - a. Owner pays a sterilization deposit which is refunded with proof of animal sterilization within a given time frame.
 - b. Tiered recover rates for animals that are S/N vs. intact.
 - c. Charges for recovery, boarding, licensing, other penalties offset by agreement to S/N pet prior to return to owner.
 - d. Requirement for mandatory S/N after specified number of recoveries at shelter.

8. Our next meeting will be determined at the general ASAB meeting on Wednesday, August 15. We'll meet there at 6:15 pm. Minutes were respectfully submitted by Lynn White.

Meeting Minutes

Animal Services Advisory Board (ASAB)

Task Force on the Spaying and Neutering of Recovered Stray Animals

Tuesday, August 28, 2012

Present: Lynn White (Chair), Kris Bergstrand, Bob Marotto, Aviva Scully

1. Agenda was unanimously adopted as presented.
- 2 Meeting minutes/summary from subcommittee meeting that took place on August 13, 2012 were accepted and approved.
3. Orange County Animal Services (OCAS) data summary by Bob (see attachments 1 and 2): From 2007-2011, 182 cats were recovered by their owners. Of these, 53/182 (29%) were reproductive, and 129/182 (71%) were sterilized. 176/182 (97%) were recovered by their owners once, and of these, 52/176 (30%) were reproductive and 124/176 (70%) were sterilized. Six cats were recovered twice. Of the six cats, 5/6 (83%) were sterilized and 1/6 (17%) was reproductive. From 2007-2011, 1620 dogs were recovered by their owners. Of these, 910/1620 (56%) were reproductive, and 710/1620 (44%) were sterilized. 1494/1620 (92%) were recovered by their owners once, and of these, 853/1494 (57%) were reproductive and 641/1494 (43%) were sterilized. 90/1620 dogs (6%) were recovered twice, and of these, 41/90 (46%) were reproductive and 49/90 (54%) were sterilized. 22/1620 (1%) dogs were recovered three times, and of these, 11/22 (50%) were reproductive and 11/22 (50%) were sterilized. 9/1620 (0.5%) dogs were recovered four times, and of these, 5/9 (56%) were reproductive and 4/9 (44%) were sterilized. Two dogs were recovered five times (both sterilized), two dogs were recovered six times (both sterilized) and one dog was recovered seven times (sterilized).
4. Identified options were reviewed:

A. Microchip placement. Based on review of local practices, national practices, and literature regarding animal recovery and microchip placement, the committee voted unanimously to recommend to the Animal Services Advisory Board (ASAB) that Orange County Animal Services mandate microchip placement in all cats and dogs at the owner's expense before the animal is returned to an owner. All efforts will be made to register the animal with the microchip company prior to the animal leaving the shelter. This fee will be in addition to other fees, including the impoundment fee, boarding fee, rabies vaccination fee, licensing fee, and any other fees the animal may have incurred during its stay at the shelter. If the owner finds these recovery fees difficult to pay because of limited resources, shelter personnel will help the owner to set up a payment plan.

B. Mandatory sterilization of stray animals repeatedly impounded by Orange County Animal Services. This committee was charged with considering whether legislative action should be taken to require mandatory sterilization of animals repeatedly impounded by Orange County Animal Services and reclaimed by owners. The committee reviewed local and national practices, literature, and recommendations by animal welfare organizations. The committee also reviewed the data regarding numbers of stray dogs and cats recovered by owners at Orange County Animal Services, reproductive status, and repeated recovery rates. After the evaluation of this information the committee came up with options for program actions that could be put into place for recovered animals:

- i. Requirement for mandatory sterilization after a specified number of recoveries from the shelter
- ii. Owner pays a sterilization deposit which is refunded with proof of animal sterilization within a given time frame
- iii. Charges for recovery, boarding, licensing, and other penalties would be offset by agreement to sterilize the pet prior to return to the owner
- iv. Tiered impounding fees based on reproductive status of the recovered pet, with lower rates for sterilized pets (reflecting the current tiered approach to licensing currently in place).

Six major issues were considered by subcommittee members:

- i. Respect for owner choice
- ii. Safety and care of the animals/pet overpopulation
- iii. Safety of the general community
- iv. Sensitivity to pet owners who are experiencing difficult financial circumstances
- v. Costs incurred by Orange County Animal Services as a result of repeated impoundments
- vi. Consideration for additional time and effort required of the staff regarding instatement of new recommendations

Review of local practices and recommendations from animal welfare organizations did not at this time support a mandatory sterilization policy for repeatedly recovered pets. The impact of such a policy would also be small, given that from 2007-2011, only 60 reproductive dogs and one reproductive cat were repeatedly returned to an owner. The committee also thought that requiring a sterilization deposit of pet owners would be a difficult approach, as it would require staff time to collect and track deposits, return deposits to pet owners, and validate owner claims of pet sterilization. The option of incentivizing owners to allow their pets to be sterilized prior to recovery by reducing fees was also deemed difficult for a variety of reasons. Orange County Animal Services does not provide in-house sterilization services to pet owners at this time. The organization also relies on fees to financially support the running of the shelter, and is not financially in a position to consider fee discounts to pet owners. Fee reductions might be difficult

and burdensome for the staff to negotiate. It was decided unanimously by committee members to move forward with the recommendation to institute tiered impounding fees as an excellent way to encourage sterilization of dogs and cats recovered at Orange County Animal Shelter. The largest educational impact on owners regarding pet sterilization in recovered animals would be made with the first impoundment and return of a pet. Review of Orange County Animal Services data revealed that out of 1802 cats and dogs returned to owners during 2007-2011, 1602/1802 or 93% were recovered once by the owner, and 963/1802 or 53% of these animals were not sterilized. By creating a tiered impoundment fee that financially favors owners of sterilized animals, shelter personnel would provide financial incentives to owners to have their pets spayed or neutered (in addition to the known animal health and public safety benefits). Additional financial incentives to sterilize a pet include our current tiered licensing system, which financially rewards owners of sterilized pets with lower annual licensing fees. Owners facing financial hardship could be identified at the time of pet recovery, and a fee payment plan could be put into place. We would also recommend an active referral structure be put into place that will allow our spay/neuter outreach program to provide individualized, personal assistance to qualified pet owners regarding low-cost spay/neuter options. The committee suggested the following tiered impoundment fees:

First recovery: \$25 sterilized, \$50 reproductive
 Second recovery: \$50 sterilized, \$100 reproductive
 Third recovery: \$100 sterilized, \$150 reproductive
 4+ recoveries: \$200 sterilized, \$250 recovered

These fees are in line with local animal services organizations.

5. Next steps: Lynn will type up a preliminary proposal that will be presented to the ASAB at their next meeting in October, 2012. Minutes were respectfully submitted by Lynn White.

Meeting Minutes

Animal Services Advisory Board (ASAB)

Task Force on the Spaying and Neutering of Recovered Stray Animals

Wednesday, December 19, 2012

Present: Lynn White (Chair), Kris Bergstrand, Bob Marotto

5. The purpose of this meeting was to follow up on the discussion of the draft proposal regarding spaying/neutering recovered stray animals that was presented to the ASAB on October 17, 2012. ASAB members unanimously agreed with the committee's recommendation that Orange County Animal Services (OCAS) require microchip placement for all recovered cats and dogs at the owner's expense before the animal is returned to the owner. The discussion regarding mandatory sterilization of recovered stray animals yielded differing opinions. At the urging of fellow board members, additional information was gathered and suggestions considered.
6. Additional information: Further Google searches were done to find additional information regarding laws requiring mandatory sterilization of stray cats and dogs as a condition of recovery by the owner. Unfortunately, no information was available regarding mandatory sterilization laws or practices specifically in recovered animal populations. However, we did review several articles regarding general mandatory spay/neuter laws. Briefly:
 - a. ASPCA Position Statement on Mandatory Spay/Neuter Laws. This document was again reviewed by the committee. The article states, "However, the ASPCA is not

aware of any credible evidence demonstrating a statistically significant enhancement in the reduction of shelter intake or euthanasia as a result of the implementation of a mandatory spay/neuter law.” The article further comments, “The ASPCA does not support mandatory spay/neuter laws...In particular, the ASPCA supports voluntary, affordable spay/neuter programs for owned pets.”

- b. “Do Mandatory Spay and Neuter Laws Work?” Sharon Seltzer, January 25, 2010, www.care2.com. This article states, “Successful spay and neuter programs must be comprehensive and take into consideration the needs of every type of pet owner. If they are seen as strictly punitive then people tend to ‘go underground’ with their animals and do everything they can to avoid the law.”
- c. American Kennel Club, “Mandatory Spay/Neuter Laws”. This article states, “However, these laws have not proven an effective solution to animal control concerns and punish responsible breeders.” Points of consideration include that these laws are difficult to enforce, are costly to the community, restrict pet owner rights, and may result in a decrease in the number of dogs licensed.
- d. Save Our Dogs, “Dog Licensing and Mandatory Spay-Neuter”. This article reviews the results of mandatory spay-neuter laws in California. The authors note that mandatory spay-neuter laws resulted in a decrease in animal licensing in CA, with resultant decrease in licensing revenues. The authors conclude, “Whether policy makers intend it or not, mandatory spay-neuter laws are perceived by the public as especially oppressive and drive a wedge between the public and animal services departments. This perception reduces dog licensing rates, reduces dog licensing income, reduces return-to-owner rates, increases costs, and kills more dogs.”
- e. Animal Protection Association of Missouri, “The Facts about Mandatory Spay/Neuter Laws”. This article lists numerous organizations that are opposed to mandatory spay/neuter laws, including the ASPCA, Alley Cat Allies, FixAustin, Best Friends Animal Sanctuary, American Veterinary Medical Association, and the Nevada Humane Society.

Given the preponderance of evidence/opinion against mandatory spay/neuter laws for all animals in a jurisdiction, and the lack of any evidence of spay/neuter laws restricted to recovered stray animal populations, the subcommittee unanimously agreed not to recommend that mandatory spay/neuter laws be implemented for animals recovered by owners from OCAS. It was further noted that State of North Carolina Veterinary Practice Acts do not allow OCAS the option to sterilize cats and dogs in the shelter that are still considered “owned”.

7. The committee then reconsidered its multifaceted approach to encourage owners of recovered animals to spay/neuter their dogs and cats. Our goals are to:
 - a. **Educate owners about the benefits of spaying/neutering their pets.**
Every contact OCAS staff has with an owner of a recovered animal is an opportunity to educate the owner about the benefits of spaying/neutering his/her pet. OCAS will create an easy-to-read handout that can be given to the owner to reinforce information delivered face-to-face.
 - b. **Make sure that owners are aware of affordable, accessible, safe, and efficient spay/neuter programs in our area.**
Every contact OCAS staff has with an owner of a recovered animal is an opportunity to let him/her know about spay/neuter options in the community. It is particularly important to make pet owners aware of Orange County’s Community Spay/Neuter Program, which provides low-cost and no-cost pet sterilization on the basis of either household income or the receipt of public assistance. This program also provides the general population with

information about spay/neuter services in the area. The handout mentioned above will also contain this information.

- c. Identify low-income families who may be reluctant to spay/neuter their pets due to cost, and provide personalized service to link them to affordable, accessible, safe, and efficient spay/neuter programs.**

OCAS has already put into place a program to provide individualized, personal assistance to low-income pet owners to help connect them to low- or no-cost spay/neuter services.

- d. Provide compelling incentives for pet owners to spay/neuter their dogs and cats.**

The committee continues to recommend a tiered and differential impoundment fee that financially favors pet owners who have sterilized their cats and dogs, and provides negative incentives to pet owners who have chosen not to spay/neuter their pets. Our latest version of this includes higher penalties to owners who have recovered an animal three or more times from the shelter, as well as a deposit system for these owners to further encourage sterilization. The proposed tiered impoundment fees are:

First recovery: \$25 for a sterilized cat/dog, \$50 for a reproductive cat/dog

Second recovery: \$50 for a sterilized cat/dog, \$100 for a reproductive cat/dog

Third recovery: \$100 for a sterilized cat/dog, \$200 for a reproductive cat/dog. The fee for a reproductive pet is a combination of a \$100 impoundment fee and a \$100 sterilization deposit. If the owner provides OCAS proof of sterilization in the form of a veterinary record within 90 days of recovering his/her pet, the \$100 sterilization deposit will be refunded to the owner.

Fourth recovery: \$200 for a sterilized cat/dog, \$400 for a reproductive cat/dog. The fee for a reproductive pet is a combination of a \$300 impoundment fee and a \$100 sterilization deposit. If the owner provides OCAS proof of sterilization in the form of a veterinary record within 90 days of recovering his/her pet, the \$100 sterilization deposit will be refunded to the owner. (Note: The committee recognizes that the combined fee of \$400 may make it prohibitively expensive for some owners to recover their pets. However, it should be stressed that most low-income households would qualify for low-cost or no-cost sterilization services from the County's own program and thus pay no more than \$20 for the procedure. In addition, the fact that a reproductive animal has been brought to OCAS as a stray four or more times should be taken into consideration when deciding whether it is in the animal's best interest and in the best interest of the community to be returned to that owner. The owner also would have had at least three prior interactions with OCAS staff during which education regarding spay/neuter options would have been provided.)

The committee decided to implement the deposit system only after the second dog/cat recovery for these reasons:

- c. The committee opted to keep impoundment fees low for first and second recoveries, understanding that animal escapes can happen that do not necessarily reflect owner negligence. After first and second recoveries, our hope is that the helpful information provided by OCAS staff regarding spay/neuter benefits and options will encourage most owners to spay/neuter their reproductive animals. By the third pet recovery, we believe that stronger incentives are required. These include higher impoundment fees and the promise of a returned sterilization deposit if proof of sterilization within 90 days is provided.

- d. The deposit system will require increased time and effort from already overworked OCAS staff members. The number of reproductive animals that are recovered more than two times at OCAS is much lower than animals recovered once or twice, so the staff will not be taxed by numerous collections and refunds of spay/neuter deposits. (From OCAS data 2007-2011, 53 reproductive cats were recovered one or two times, but no cats were recovered three or more times. In the same data set, 894 reproductive dogs were recovered one or two times, but only 19 reproductive dogs were recovered three or more times.) Note that the sterilization deposit was kept consistent at a fixed \$100 amount to simplify staff accounting.

Finally, the committee agreed that provision of information regarding low-cost fencing (e.g., the program “Unchain Your Dog) would be important to provide to owners who come to OCAS to recover their stray pets.

Planned future action:

1. Lynn to update draft committee proposal by next Friday for presentation to ASAB members at the January 16, 2013 meeting. The draft will be shared with the committee prior to the ASAB meeting.
2. Bob to work with staff to create a handout that includes information about the benefits of spaying/neutering your pet, how you can save money by spaying/neutering your pet, low cost options for spay/neuter services, individualized services for low-income pet owners, and information about fencing options.

Meeting minutes were respectfully submitted by Lynn White.

Appendix B

Spay and Neuter and Microchip Requirements for Stray Recoveries;

Select Regulatory Review

Working Document

August 13, 2012

Recently, Orange County Animal Services Director, Bob Marotto, obtained information from other animal welfare professionals regarding sterilization and micro-chipping ordinances in their own or other jurisdictions throughout the United States, as they relate to the recovery of animals. Answers are summarized on the following two tables, one for sterilization and one for microchipping requirements:

Original Question: I was wondering whether any of you are familiar with any communities that have ordinances that require the spaying or neutering of dogs and cats that have been impounded more than one time. Or if you even happen to have a favorite model for this kind of regulation. It may be an altogether different legislative item, but I am also interested in exploring the requirement for a microchip for dogs and cats that have been impounded as a requirement of recovery. It doesn't address reproduction per se but it does help with recovery and ensure the kind of identification needed to ensure accountability as well.

Sterilization Requirements upon reclaim throughout US

Location	Jurisdiction	Local or state	Level of requirement	Alternative options	Recovery fee offset by s/n	notes
Arizona	All of state	State	Required s/n for all adoption or recovery	None?		Needs more research
Northglenn, CO	City of Northglenn	Local (city)	?			
Illinois	All of state	State	All animals found running at large for second			

Utah	All of state	State	time must be sterilized within 30 days of being reclaimed Any animal impounded twice within a 12-month period must be sterilized prior to reclaim	Sterilization deposit at time of reclaim, returned if sterilized within 30 days	All animals
Westminster, CO	Westminster (city)	Local?	Unaltered animals found running at large cannot stay in unsterilized condition. Reclaim fees for such animals are double and fees are only reduced once proof of sterilization occurs (if before court date)		All animals
Idaho Falls, ID	City	Local	Any unaltered dog that has been impounded on 2 previous occasions during a 12-month period must be spayed or neutered prior to reclaim		Dogs only
Wichita, KS	City of Wichita	Local	All unaltered dogs must be sterilized within 30 days of redemption at owner's expense	Owner may pay a fee to have dog remain intact, provided it is not found running at large again during its lifetime	Yes- impound and boarding fees applied toward cost of sterilization
California	All of state	State	Unaltered animals require additional fines		
Lake County, FL	County	Local			Email says it is attached, but nothing there- also working on microchip law

Jefferson County, MO	County	Local	Any animal that has bitten a person or animal must be sterilized and microchipped prior to reclaim; Any animal impounded twice must be sterilized prior to reclaim and an additional fee must be paid to cover the cost of sterilization			
Albuquerque, NM	City	Local	Any impounded animal must be sterilized prior to leaving			
Sacramento, CA	City	Local	Any animals impounded twice within a 3-year period must be sterilized before reclaim			
Charleston County, SC	County, unincorporated areas only	Local	Animals found running at-large must be sterilized prior to redemption, with certain exceptions (vet recommendation that surgery is not advisable due to health, proof of national conformation or obedience show within 12-months for purebred pets, assistance/guide animals)			
Charleston, SC	City of Charleston	Local	Has mandatory S/N ordinance in place, but details not provided			Look up?

Microchipping/Identification requirements upon reclaim throughout US

Location	Jurisdiction	Local or state	Level of requirement	Alternative options	Notes
Northglenn, CO	City of Northglenn	Local	All reclaimed animals must be microchipped	Providing proof of microchip	Cats and dogs
Kanakee County, IL	Kanakee County	Local	All animals must be microchipped by 9 months of age and at time of rabies vaccination or reclaim		Cats and dogs
Illinois	All of state	State	Any animal must be microchipped prior to reclaim		All animals
Westminster, CO	City	Local?	Microchipping required for animals deemed vicious or dangerous		
Idaho Falls, ID	City	Local	All animals must be microchipped, licensed		Cats and

Wichita, KS	City	Local	and wearing a tag before reclaim Any unaltered dog must have a microchip implanted prior to redemption or provide proof within 30 days of redemption		dogs
Turlock, CA	City	Local	All animals impounded, adopted or reclaimed must be microchipped		
Northbrook, IL	City?	Local	All animals must be microchipped prior to reclaim and pay fees associated with its registration		
Citrus County, FL	County	Local	Requires microchipping upon reclaim		
Volusia County, FL	County	Local	??		Mentioned-look up?
Jefferson County, MO	County	Local	Any animal adopted or reclaimed from Animal Center must be microchipped or tattooed for identification	Fee may be paid in advance to have animal microchipped or tattooed elsewhere	
Albuquerque, NM	City	Local	All animals must be microchipped or permanently identified prior to issuance of a license		

Prepared by Bob Marotto and Andi Morgan
 Orange County Animal Services, Orange County, North Carolina

Appendix C

Summary of Data Search

Microchips and Stray Cats and Dogs:

1. Lord LK, Ingwersen W, Gray JL, Wintz, DJ. Characterization of animals with microchips entering animal shelters. *J Am Vet Med Asso* 2009; 235: 160-167.
2. “Microchips Result in High Rate of Return of Shelter Animals to Owners.” *Research News*, The Ohio State University. (Both articles were about the same study.)
 - a. 7,704 microchipped animals entering 53 animal shelters between 8/2007 and 3/2008 were assessed. Of these, 4,083 (53%) were strays.
 - b. In all, owners were found for 72.7% of microchipped animals. Among those found, 73.9% of the owners wanted the animals back in their homes.
 - c. Return to owner rates for cats were 20 times higher and for dogs 2.5 times higher for microchipped pets than were the rates of return for all stray cats and dogs that entered the shelters.
 - d. The ability to find owners was higher for dogs, animals that were purebred, and animals that were spayed or neutered.
 - e. On average, only 1.8% of all stray dogs and cats taken to shelters have microchips.
 - f. Reasons why owners were not found for microchipped animals:
 - i. 35.4%: incorrect or disconnected phone
 - ii. 24.3%: owner failure to return calls or respond to letters
 - iii. 9.8%: unregistered microchips
 - iv. 17.2%: microchips registered in a database that differed from the manufacturer
 - g. The U.S. is the only country in which the implantation of a microchip is often treated as a separate process from registration with a microchip registry. We need to focus on not separating the microchip implantation process from registration. When shelters implant microchips, they need to tell an adopter how it works and make sure information is in the registry before the animal leaves the building.
 - h. The highest percentage of owners was found through the use of information in the animal shelter databases. This is largely attributable to the fact that personnel at animal shelters were likely to have originally implanted most of the animals with microchips that enter their facilities.
 - i. Emphasis on the importance of scanning animals more than one time for microchips. Scanners do not have 100% sensitivity in detecting or reading microchips. Microchips also migrate. Therefore, scanning protocols at animal shelters should include scanning at various routine times during animal handling, such as at entry, during medical evaluations, and prior to euthanasia.
 - j. The estimated cost to implant and register a microchip ranges from @\$25.00-\$75.00 (2009).

Mandatory Spay/Neuter Programs for Stray Dogs and Cats

1. ASPCA Position Statement on Mandatory Spay/Neuter Laws (no date).
 - a. Research indicates that per capita shelter intake and euthanasia rate declines are due to an increasing incidence of spayed and neutered pets.
 - b. The ASPCA is not aware of any credible evidence demonstrating a statistically significant enhancement in the reduction of shelter intake or euthanasia as a result of the implementation of a mandatory spay/neuter law.
 - c. There is evidence that sterilizing at-risk populations of companion animals such as animals in shelters can contribute to reduction in overpopulation.
 - d. Cost is one of the primary barriers to spay/neuter surgery. Low household income and poverty are statistically associated with having a sexually intact cat, with relinquishment of pets to shelters, and with shelter intake.
 - e. The ASPCA does not support mandatory spay/neuter laws for all cats and dogs. The ASPCA does support the voluntary, affordable spay/neuter programs for owned pets.

2. New JC. Characteristics of shelter-relinquished animals and their owners compared with animals and their owners in U.S. pet-owning households. *Journal of Applied Animal Welfare Science* 2000;3:179-201.
 - a. Animal relinquishment was associated with physical and behavioral characteristics of the animals and owner characteristics and knowledge. Relinquished animals were more likely to be intact, younger, and mixed breed.

3. AVMA News May 15, 2009. AVMA: Mandatory spay/neuter a bad idea.
 - a. The AVMA policy on “Dog and Cat Population Control” has been revised to express the Association’s non-support for regulations or laws mandating spay/neuter of privately owned, non-shelter dogs and cats.
 - b. Prevention of unexpected litters, reduced incidence of some cancers and reproductive diseases, and prevention and amelioration of certain undesirable behaviors have been documented as benefits to spaying/neutering dogs and cats. However, potential health problems associated with spaying and neutering have also been identified, including an increased risk of prostatic cancer in males, increased risks of bone cancer and hip dysplasia in large-breed dogs associated with sterilization before maturity, and increased incidence of obesity, diabetes, urinary tract infections, urinary incontinence, and hypothyroidism.

4. AVMA Policy: Dog and Cat Population Control (no date).
 - a. The AVMA does not support regulations or legislation mandating spay/neuter of privately owned, non-shelter dogs and cats. Although spaying and neutering helps control dog and cat populations, mandatory approaches may contribute to pet owners avoiding licensing, rabies vaccination, and veterinary care for their pets, and may have other unintended consequences.

- b. The AVMA believes that state and local governments must evaluate their needs and resources to develop appropriate and effective dog and cat population control programs. This would include:
 - i. Strict enforcement of existing animal control laws
 - ii. Licensing of all dogs and cats
 - iii. Prohibiting the sale or adoption of intact dogs and cats by humane organizations and animal control agencies
 - iv. Promoting surgical and nonsurgical sterilization of intact dogs and cats.
 - v. Requiring rabies vaccination
 - vi. Requiring permanent identification through microchipping.

- 5. Sharon Seltzer, January 25, 2010, www.care2.com. Do Mandatory Spay and Neuter Laws Work?
 - a. Successful spay and neuter programs must be comprehensive and take into consideration the needs of every type of pet owner. If they are seen as strictly punitive then people tend to 'go underground' with their animals and do everything they can to avoid the law.

- 6. American Kennel Club, Mandatory Spay/Neuter Laws (no date).
 - a. Mandatory spay/neuter laws have not proven an effective solution to animal control concerns and punish responsible breeders. Points of consideration include that these laws are difficult to enforce, are costly to the community, restrict pet owner rights, and may result in a decrease in the number of dogs licensed.

- 7. Save Our Dogs, Dog Licensing and Mandatory Spay-Neuter.
 - a. Result of mandatory spay-neuter laws in California were reviewed. The authors note that mandatory spay-neuter laws resulted in a decrease in animal licensing in CA, with resultant decrease in licensing revenues. The authors conclude, "Whether policy makers intend it or not, mandatory spay-neuter laws are perceived by the public as especially oppressive and drive a wedge between the public and animal services departments. This perception reduces dog licensing rates, reduces dog licensing income, reduces return-to-owner rates, increases costs, and kills more dogs."

- 8. Animal Protection Association of Missouri, The Facts about Mandatory Spay/Neuter Laws.
 - a. Numerous organizations listed that are opposed to mandatory spay/neuter laws, including the ASPCA, Alley Cat Allies, FixAustin, Best Friends Animal Sanctuary, American Veterinary Medical Association, and the Nevada Humane Society.

Appendix D

FREQUENCY OF STRAY DOG AND CAT RECOVERIES, 2007-2011

Orange County Animal Services

<u>Recovery</u>	<u>Felines</u>		<u>Canines</u>		<u>Number</u>	<u>Percent</u>
<u>Frequency</u>	<i>Reproductive</i>	<i>Sterilized</i>	<i>Reproductive</i>	<i>Sterilized</i>		
7	0	0	0	1	1	0
6	0	0	0	2	2	0
5	0	0	0	2	2	0
4	0	0	5	4	9	0
3	0	0	11	11	22	1
2	1	5	41	49	96	5
1	<u>52</u>	<u>124</u>	<u>853</u>	<u>641</u>	<u>1670</u>	<u>93</u>
<u>Number</u>	53	129	910	710	1802	99%

Prepared by Drew Brinkley and Bob Marotto August 2012

FREQUENCY OF STRAY DOG RECOVERIES

AND STRAY CAT RECOVERIES, 2007-2011

Orange County Animal Services

<u>Recovery</u> <u>Frequency</u>	<u>Felines</u>				<u>Canines</u>			
	<i>Reproductive</i>	<i>Sterilized</i>	<i>N</i>	<i>%</i>	<i>Reproductive</i>	<i>Sterilized</i>	<i>N</i>	<i>%</i>
7	0	0	0	0	0	1 (0)	1	0
6	0	0	0	0	0	2 (0)	2	0
5	0	0	0	0	0	2 (0)	2	0
4	0	0	0	0	5 (0)	4 (0)	9	0
3	0	0	0	0	11 (1)	11 (1)	22	1
2	1 (0)	5 (3)	6	3	41 (3)	49 (3)	90	5
1	<u>52 (29)</u>	<u>124 (68)</u>	<u>176</u>	<u>97</u>	<u>853 (53)</u>	<u>641 (40)</u>	<u>1494</u>	<u>94</u>
Total	53 (29)	129 (71)	182 (10)		910 (56)	710 (44)	1620 (100)	

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